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C O N F I D E N T I A L SECTION 01 OF 02 BAKU 000360

SIPDIS

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SUBJECT: AZERBAIJAN: POLICE VIOLENCE AGAINST ANS TV
JOURNALISTS

Classified By: Political-Economic Counselor Robert Garverick, for reasons 1.4 b and d.

¶1. (C) SUMMARY: On April 27 three employees of ANS TV channel were subject to physical attack while investigating a story of the destruction of a mosque. The reporters' equipment was damaged during the struggle. The incident sparked outrage both among some government officials and from domestic NGOs. In a rare sign of accountability from the GOAJ, however, the Ministry of Internal Affairs (MIA) investigated the incident and has compensated ANS for its damaged equipment. While the attack is typical of the ways in which many local officials treat media representatives, the investigation and compensation is an encouraging sign from higher levels of the GOAJ. It remains to be seen whether GOAJ officials will be any more responsive to press inquiries in the future. END SUMMARY

¶2. (SBU) On April 27 three employees of the ANS TV channel-Nidjat Suleymanova, correspondent, Elmin Muradov, camera operator, and Azer Balayev, cooperative control officer) faced physical abuse and harassment by Yasamal District police officers. The journalists had addressed several questions to Mohubbat Huseynov, the Chief of the Yasamal Police Office about the reason for the destruction of the recently constructed Prophet Muhammad mosque in the area, which allegedly was the subject of a property dispute (septel). However, after refusing to give any comments, the Police Chief ordered the confiscation of their camera and a video cassette. According to the journalists, some 30 police officers roughed up the correspondents and confiscated the camera and the cassette. The police later returned the broken camera, but not the cassette.

¶3. (SBU) The event sparked statements of concern from government officials. During the parliamentary session on Tuesday, April 28, members of the Milli Majlis (parliament) expressed their concern about the incident. They said that violence against mass media workers damaged the country's reputation worldwide. In addition, Elmira Suleymanova, the Human Rights Ombudswoman, addressed a request to Colonel-General Ramil Usubov, Minister of Internal Affairs, to investigate the case thoroughly and to take relevant measures against those who used violence against the journalists. She mentioned that violence and insult against journalists were not acceptable.

¶4. (SBU) NGOs have also condemned the attack. The Media Rights Institute released a statement in connection with the incident, saying that every journalist has an undeniable right of free access to information sources. The statement

also stresses that the Yasamal District police officers who failed to take in to account the journalists' rights in their conduct seriously violated the Constitution of the country, as well as the law on mass media. The Institute further said such action was the indication of the brutal attitude against freedom of speech and media freedom in Azerbaijan, and called on the MIA to take adequate measures against the offenders.

15. (SBU) Two days later the Minister of Internal Affairs established a commission to investigate the incident. Both parties gave testimony and the damage to the ANS TV property in the amount of AZN 1770 (approximately 2215 USD) was compensated by the MIA. The video cassette confiscated by the policemen during the incident was returned to ANS the following day; however the recording of this particular incident was deleted.

16. (C) ANS was in contact with the Embassy's press office from the morning following the incident, but the station managers have asked the Embassy simply to monitor the case, rather than speak out in public. Station Director Seyfulla Mustafayev told an Embassy employee that the National Television and Radio Council (NTRC) Chairman Nushirvan Maharramli had warned ANS to "stay out of the government's business" and not escalate the story unless they wanted to face another closure, reminiscent of the 2006 shut down of the station, which remains the most independent of Azerbaijan's largely compliant television media.

17. (C) Following Maharramli's discussion with ANS, Yasamal Police Station Chief Huseynov contacted ANS and suggested

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that if they kept his offer quiet, he would compensate them for the monetary damages, assuring them that he will always be a friend of journalists. His offer preceded the Ministry's formal compensation process.

COMMENT

18. (C) While the attack is typical of the ways in which local officials in Azerbaijan treat media representatives, the investigation and compensation of ANS is an encouraging sign from higher levels of the GOAJ. The GOAJ continues to imprison journalists for peacefully exercising their right to freedom of expression, however, and a serious of vicious physical assaults against journalist remains unpunished with little to no investigation. Therefore, it remains to be seen whether this case indicates a new direction in the MIA's openness to the media, or is simply a one-off decision based on the large public attention paid to this case.

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